

REMARKS

By this amendment, claims 1, 9, and 15 have been amended. No claims have been added. Claim 16 has been canceled.

Claims 1-15 and 17-20 remain pending in the application. Reconsideration and allowance of all of the claims are respectfully requested in view of the foregoing amendment and the following remarks.

In regard to Rejection of Claims 1-7 Under 35 USC § 102(b)

The Examiner has rejected claims 1-7 under 35 U.S.C. § 102(b) as being anticipated by Murakami et al., U.S. Patent No. 6,679,201. The Applicant respectfully submits that this rejection has been addressed and overcome by the present amendment.

The Examiner's attention is respectfully directed to the following feature of claim 1, as amended:

the blow-off valve is configured to:

...

allow coolant flow when the coolant pressure is above
the threshold, independently of the actuator.

The Applicant submits that at least this feature of claim 1 is not taught by Murakami.

Referring to Figures 1 and 2 of Murakami, a stepper motor 23 operates valve elements 21 and 22. The stepper motor 23 of Murakami is controlled by an ECU 30. Referring now to column 6, lines 22-24 of Murakami :

The opening degree of the flow rate regulating valve 8 is
controlled by the ECU 30 to regulate the flow rate of the
cooling water.

Thus, the valve 8 of Murakami is controlled by the ECU 30 by means of the stepper motor 23 to regulate the flow rate of the cooling water. Therefore, the valve elements 21 and 22 of valve 8 of Murakami are operated by the stepper motor 23. Murakami does not teach any way in which the valve elements 21 and 22 of valve 8 are actuated other than by the stepper motor 23. As such, Murakami does not teach a blow-off valve configured to allow coolant flow when the coolant pressure is above a threshold, independently of an actuator, as

claimed. In fact, Murakami does not teach any valve element that can be actuated independently of an actuator.

Therefore, at least one feature of claim 1, as amended, is not taught by Murakami. As such the Examiner is requested to withdraw his rejection of claim 1, and claims 2-7 depending therefrom.

In regard to Rejection of Claim 8 under 35 USC § 103(a)

The Examiner has rejected claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Murakami et al., U.S. Patent No. 6,679,201. The Applicant respectfully submits that this rejection has been addressed and overcome by the present amendment.

As discussed above with respect to claims 1-7, at least one feature of claim 1 as amended is not taught by Murakami. This deficiency in Murakami is not remedied by the Examiner's assertion that "the application of the engine is an obvious choice of design because no new or unexpected results are achieved". The Applicant does not admit the correctness of the Examiner's assertion, and reserves the right to argue thereagainst in the future. As such, the Examiner is requested to withdraw his rejection of claim 8 because of its dependency from claim 1, as well as for the additional features recited therein.

In regard to Rejection of Claims 9, 13 and 14 under 35 USC § 103(a)

The Examiner has rejected claims 9, 13 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Murakami et al., U.S. Patent No. 6,679,201. The Applicant respectfully submits that this rejection has been addressed and overcome by the present amendment.

The Examiner's attention is respectfully directed to the following feature of claim 9, as amended:

when the coolant pressure is above the threshold, the sealing bias of the blow-off valve is overcome, opening the coolant passage independently of the electro-mechanical actuating assembly.

The Applicant submits that at least this feature of claim 9 is not taught by Murakami.

As discussed above with respect to claim 1-7, Murakami does not teach any way in which the valve elements 21 and 22 of valve 8 are actuated other than by the stepper motor

23. As such, Murakami does not teach that when a coolant pressure is above a threshold, a sealing bias of a blow-off valve is overcome, opening the coolant passage independently of an electro-mechanical actuating assembly, as claimed. Therefore, at least one feature of claim 9, as amended, is not taught by Murakami.

This deficiency in Murakami is not remedied by the Examiner's assertion that "the application of the engine is an obvious choice of design because no new or unexpected results are achieved". The Applicant does not admit the correctness of the Examiner's assertion, and reserves the right to argue thereagainst in the future. As such, the Examiner is requested to withdraw his rejection of claim 9, and claims 13 and 14 depending therefrom.

In regard to Rejection of Claims 15 and 17-20 under 35 USC § 103(a)

The Examiner has rejected claims 15 and 17-20 under 35 U.S.C. § 103(a) as being unpatentable over Murakami et al., U.S. Patent No. 6,679,201. The Applicant respectfully submits that this rejection has been addressed and overcome by the present amendment.

Referring to the Examiner, claim 16 "would be allowable if rewritten in independent form".

In response to the Examiner's remarks, claim 15 has been amended to include all the features of claim 16. Therefore, claim 15, as amended, is now believed to be allowable. As such, the Examiner is requested to withdraw his rejection of claim 15, and claims 17-20 depending therefrom.

In regard to Objection to Claims 10-12 and 16

The Examiner has objected claims 10-12 and 16 as being dependent upon a rejected base claim. The Applicant respectfully submits that this objection has been addressed and overcome by the present amendment.

Dependent claims 10-12 recite additional features of the invention and are therefore believed to be allowable for the same reasons recited above with respect to claim 9 and for the additional features recited therein. As such, the Examiner is requested to withdraw his objection to claims 10-12.

Dependent claim 16 has been canceled, and as such the objection to claim 16 is now moot.

In view of the above remarks, the Applicant respectfully submits that all of the currently pending claims are allowable and that the entire application is in condition for allowance.

Should the Examiner believe that anything further is desirable to place the application in a better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

At the time of filing of the present response, the Office was authorized to charge the fees believed to be necessary to a credit card. In case of any under- or over-payment or should any additional fee be otherwise necessary, the Office is hereby authorized to credit or debit (as the case may be) Deposit Account number 502977.

Respectfully submitted,

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